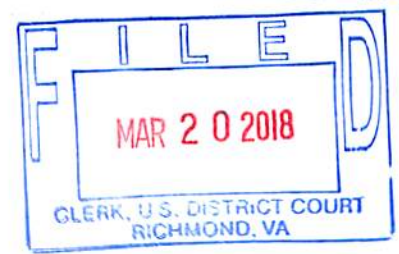


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division



COREY M. LEWIS-BEY,

Plaintiff,

v.

Civil Action No. 3:17CV824

CPL. BAILEY, et al.,

Defendants.

MEMORANDUM OPINION


By Memorandum Order entered on December 22, 2017, the Court conditionally docketed Corey M. Lewis-Bey's civil action. On January 10, 2018, the Court received a notice of address change from Lewis-Bey wherein he indicates that he was released from incarceration. The inmate account form also indicates that Lewis-Bey was released on December 2, 2017. (ECF No. 4, at 1.) On January 18, 2018, the United States Postal Service returned the December 22, 2017 Memorandum Order to the Court marked as undeliverable. However, on January 22, 2018, the Court received a completed consent to collection of fees form and a prisoner in forma pauperis affidavit. Because Lewis-Bey is no longer incarcerated he must complete and return the in forma pauperis affidavit for non-prisoners.

Accordingly, by Memorandum Order entered on January 30, 2018, the Court directed Lewis-Bey to complete and return the in forma pauperis affidavit for non-prisoners, within thirty (30)

days of the date of entry thereof. The Clerk forwarded Lewis-Bey the form that he was required to complete and return to the Court. More than thirty days have elapsed and Lewis-Bey has not completed and returned the required in forma pauperis affidavit. On March 5, 2018, the Court received an "Affidavit of Financial Statement (Exercise of Constitution-Secured Right)" on "THE MOORISH NATIONAL REPUBLIC" letterhead signed by Marsielle Bey. (ECF No. 10.) This document is nothing more than gibberish and has no information about Lewis-Bey's current financial status. Nevertheless, this submission demonstrates that Lewis-Bey received the Court's January 30, 2018 Memorandum Order but has failed to comply with its directives.

Because Lewis-Bey failed to return the affidavit, he does not qualify for in forma pauperis status. Furthermore, he has not paid the statutory filing fee for the instant action. See 28 U.S.C. § 1914(a). Such conduct demonstrates a willful failure to prosecute. See Fed. R. Civ. P. 41(b). Accordingly, this action will be dismissed without prejudice.

The Clerk is directed to send a copy of the Memorandum Opinion to Lewis-Bey.

/s/ 

Robert E. Payne
Senior United States District Judge

Date: *March 19, 2018*
Richmond, Virginia